HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3567 OF 2005.

Smt. Chandrabhagabai Anna Sanap & Another. ..Petitioners.

Versus.

Smt. Ujwala Sanjay Sanap & Ors. ..Respondents.

Shri. K. S. Patil i/b P. N. Joshi for the petitioners.

Shri. Suresh M. Sabrad for the respondents.

CORAM: S.B.MHASE, J.

DATE: October 21, 2005.

P.C.

1. Heard learned counsel. Gat No. 437, situated at Shirur, Taluka Niphad, District: Nashik was standing in the name of Sanjay Anna Sanap, who has expired. The respondent No.1 is the wife of the said deceased-Sanjay, while the respondent Nos. 2, 3 & 4 are the children of the said Sanjay. Petitioner No.1-Chandrabhagabai claims to be the mother of the deceased- Sanjay, and Petitioner No.2-Anna claims to be the father of the deceased-Sanjay. However, disputes in respect of the heirship and the nature of the property has already been filed before the Civil Judge, Junior Division, Niphad by instituting Civil Suit No.

105 of 2004. This writ petition arises out of the entries made in the 7/12 extract. However, it is well settled that the entries made in the 7/12 extract are not final one. So far as the civil rights of the parties are concerned, the petitioner has already filed proceeding to get adjudicated the civil rights and that is the appropriate and efficacious remedy for final adjudication of the dispute between the parties. Since appropriate proceeding has been followed, this court is not inclined to entertain this petition. It is accordingly dismissed.

(S.B.MHASE, J.)

:srp/2005/